

## Foreign Labor Certification

See our program website at  
<http://www.foreignlaborcert.doleta.gov>

### Performance Goals

GPRA Performance Target	FY 2009
Percent of H1-B applications processed within seven days of filing	100
Percent of employer applications for permanent labor certification resolved within six months of filing	64
Percent of accepted H-2A applications processed within 15 business days	75
Percent of accepted H-2B applications processed within 15 business days	75
Percent of H-2B applications processed within 60 days of receipt	60

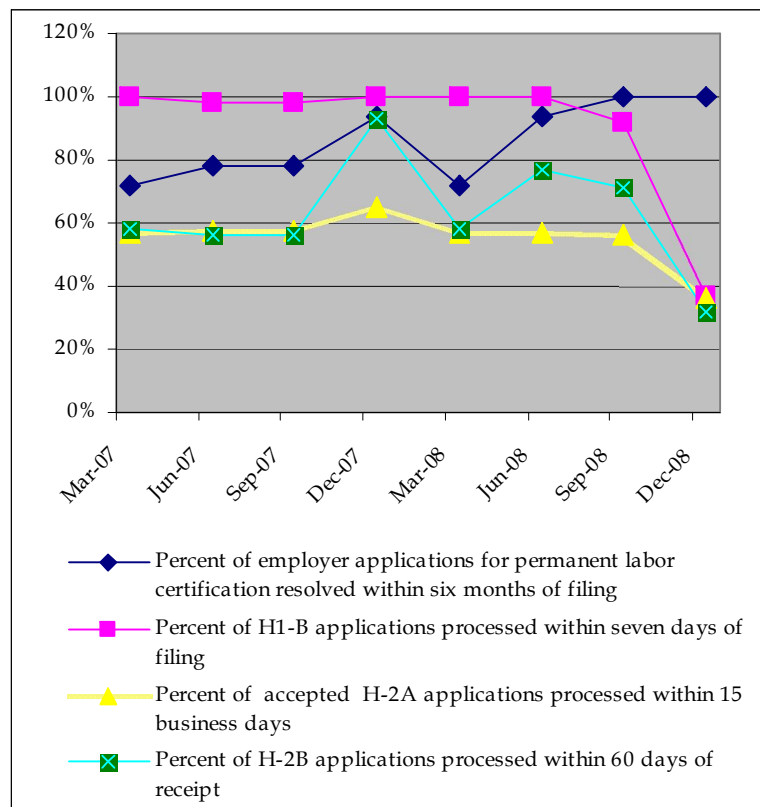
### Analysis

- H-1B program performance continues to be consistent with the goals.
- PERM program performance significantly decreased due to the impact of increased integrity activities and processing adjustments for downturns in the economy in conjunction with large employer layoffs. With current resources and application filing patterns processing delays will continue to occur absent marked changes in both the economy and greatly increased resources.

## Charting Program Performance

Performance Measure	First Quarter Fiscal Year 2008	First Quarter Fiscal Year 2009
Percent of H1-B applications processed within seven days of filing	100%	100%
Percent of employer applications for permanent labor certification resolved within six months of filing	94%	37%
Percent of accepted H-2A applications processed within 15 business days	65%	36%
Percent of H-2B applications processed within 60 days of receipt	93%	32%

### Performance Progress in the Past Eight Quarters



- H-2A program performance significantly decreased from both the same period last year and the FY 2008 final number due to resource constraints, both federal and state, and delays by employers in providing required program documentation.
- H-2B program performance also significantly decreased from both the same period last year and the FY 2008 final number due to resource constraints, both federal and state, and increased employer application filings.

### **Program Description**

The Office of Foreign Labor Certification (OFLC) provides national leadership and policy guidance to carry out the responsibilities of the Secretary of Labor under the Immigration and Nationality Act concerning foreign workers seeking admission to work in the United States. OFLC certification of an employer's request that a given number of permanent or temporary job vacancies may be made available to foreign labor is generally the first step in the process of employment-based admission into the United States on either a permanent or temporary basis. Each program, such as permanent labor certification, H-1B, H-2A and H-2B has its own distinctive focus and purpose

### **Other Program Highlights & Innovations**

OMB has approved revised PERM and H-1B forms. Electronic programs are under final testing. The enhanced H-1B system will be implemented April 15 and the enhanced PERM system is scheduled for July 1.